

MINUTES OF THE CONFERENCE CALL MEETING
BOARD OF MASSAGE THERAPY

December 4, 2020

1. ROLL CALL

The conference call meeting of the Board of Massage Therapy was called to order by Brian Allison, Chair, at 9:00 a.m. in Conference Room LLB, State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. In accordance with Neb. Rev. Stat. § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were e-mailed to the Board members and other interested parties, posted on the DHHS web site at <http://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx>, and posted in the Licensure Unit on 11.30.2020.

The following members answered roll call:

Members Present (4):

Brian Allison, Chair
Steven Carper, Vice-Chair
Mallory Carstens, Member
Michele Helaney, Secretary

Members Absent (0):

Others Present (6):

Kris Chiles, Program Manager, Licensure Unit
Anna Harrison, DHHS Compliance Monitor
Natalee Hart, Assistant Attorney General
Trevor Klaassen, DHHS Investigations
Carla Cue, DHHS Investigations
Suzanne Glover-Ettrich, DHHS Attorney

2. ADOPTION OF AGENDA

MOTION: Helaney moved, seconded by Carper, to adopt the agenda. A voice vote was taken. Voting aye: Allison, Carper, Carstens, Helaney (4). Voting nay: None (0). Absent: None (0). Motion carried.

3. APPROVAL OF MINUTES (10.23.2020)

MOTION: Carper moved, seconded by Carstens, to approve the minutes of 10.23.2020. A voice vote was taken. Voting aye: Allison, Carper, Carstens, Helaney (4). Voting nay: None (0). Absent: None (0) Abstain: (0). Motion carried.

4. UPDATES AND REPORTS (SKIP TO #7)

5. CLOSED SESSION:

INVESTIGATIVE REPORTS AND OTHER CONFIDENTIAL INFORMATION

MOTION: Carper moved, seconded by Helaney, to enter into closed session at 9:05 a.m. to hear discussions of investigative/confidential nature, and for the prevention of needless injury to the reputations of the individuals. Allison repeated the motion purpose. A roll call vote was taken. Voting aye: Allison, Carper, Carstens, Helaney (4). Voting nay: None (0). Absent: None (0) Abstain: (0). Motion carried.

9:11 a.m. Cue exited the call
9:28 a.m. Klaassen exited the call

6. OPEN SESSION:

REVIEW, RECOMMENDATIONS, AND REPORT OUT RELATING TO:

Applications, Mail Ballot Voting Results, and Reinstatements

Verbal agreement to return to open session at 9:34 a.m.

Renee at Spine & Sport – Massage Therapy Establishment Application

MOTION: Helaney moved, seconded by Carper, to recommend a 6 month probation, the owner successfully pass the massage therapy jurisprudence examination within the first 90 days of issuance and standard probationary terms and conditions. A roll call vote was taken. Voting aye: Allison, Carper, Carstens, Helaney (4). Voting nay: None (0). Absent: None (0) Abstain: (0). Motion carried.

7. UPDATES AND REPORTS:

- a. Statistics: Examinations, Licensing, Administrative Penalties, Renewals, Disciplinary and Non-Disciplinary Information, and School Report – Chiles verbalized the information,
 - Executive Order 20-27 FAQ's: <http://dhhs.ne.gov/Documents/EO-20-27-FAQ.pdf>
 - If the state of emergency lifts, the information will be posted on the Massage Therapy Licensure Home page: <http://dhhs.ne.gov/licensure/Pages/Massage-Therapy.aspx>
- b. 2021 Legislation – Chiles reported will begin in January, unsure if sessions will be virtual or in person, there are no specific massage therapy bills at this time, possibly reflexology
 - Carper stated AMTA & Platte Institute create a Universal licensure, Chiles stated similar to the COMPACT with other professions.
- c. Nebraska Chapter of the American Massage Therapy Association (AMTA) <http://www.amtane.org> -
 - No updates at this time
- d. Federation of State Massage Therapy Boards (FSMTB) <https://www.fsmtb.org>
 - No updates, the annual meeting has been cancelled

8. ANNUAL BUSINESS

- a. Schedule 2021 Meetings dates: February, 5, April 16, June 4, August 6, October 1, December 3
- b. Approval of Method of Noticing Meeting Agendas
Current method is post in the licensure unit lobby, on our website and by email to those who want an email

MOTION: Carper moved, seconded by Helaney, to approve the current method of notice. A roll call vote was taken. Voting aye: Allison, Carper, Carstens, Helaney (4). Voting nay: None (0). Absent: None (0) Abstain: (0). Motion carried.

- c. Board Member Per Diems and Compensation Recommendations
(Neb. Rev. Stat. §38-171)

38-171. Board; advisory committee or body; compensation; limitation; expenses.

Each member of a board shall, in addition to necessary traveling and lodging expenses, receive a per diem for each day actually engaged in the discharge of his or her duties, including compensation for the time spent in traveling to and from the place of conducting business. Traveling and lodging expenses shall be on the same basis as provided in sections 81-1174 to 81-1177. The compensation per day shall not exceed fifty dollars and shall be determined by each board with the approval of the department. Persons serving on an advisory committee or body under section 38-161 shall receive remuneration of expenses as provided in sections 81-1174 to 81-1177, including compensation for time spent in traveling to and from the place of conducting business, and a per diem of fifty dollars.

All board members verbally agreed on the current per diem amount of \$50. Additionally, if a board member testifies or represents the board, they can get an additional per diem.

- d. Elections and Appointments
 - Election of Officers
Current Officers: Chair: Allison, ViceChair: Carper and Secretary: Helaney
Helaney made the following nominations: Chair: Allison, ViceChair Carper and Secretary: Carstens

MOTION: Helaney moved, seconded by Carper, to approve the Election of Officers. A roll call vote was taken. Voting aye: Allison, Carper, Carstens, Helaney (4). Voting nay: None (0). Absent: None (0) Abstain: (0). Motion carried.

- Appointment of Investigative Consultant, Education Reviewer, FSMTB representative
Helaney volunteered for Investigative Consultant, Carper as Education Reviewer and Carper as the FSMTB representative

9. ADJOURNMENT

The next meeting is scheduled for February 5, 2021 and will be set as a conference call. There was no further business and Allison declared the meeting of the Board of Massage Therapy adjourned at 10:02 a.m.

Submitted by Mallory Carstens, Secretary
Board of Massage Therapy

Minutes drafted by Heidi Weiand, Health Licensing Coordinator